

Case 1:05-cv-04356-CM Document 122 Filed 03/20/07  
 TO: Hon. Richard C. Casey COMPANY: United States District Court

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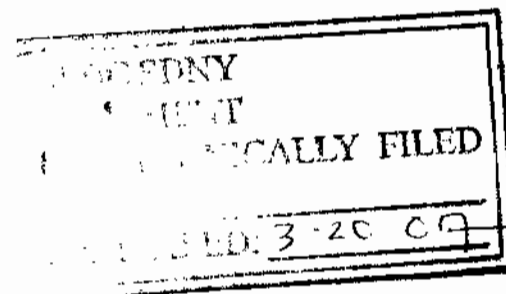
February 14, 2007

OUR REF: 503-99/EEL

Via Fax 1-212-805-7939

The Hon. Richard C. Casey  
 United States District Judge  
 Southern District of New York  
 Daniel P. Moynihan U.S. Courthouse  
 500 Pearl Street  
 New York, NY 10007

Re: Maersk, Inc. v. Neewra, Inc., et al.  
05 CIV 4356 (RCC)



Dear Judge Casey:

We represent the Maersk Plaintiffs in this action and write to request clarification of the Court's Order of February 7, 2007 (issued by Judge Keenan) with respect to Plaintiffs' request to take jurisdiction-related discovery prior to the motions by defendants to dismiss.

By way of background, on January 16, 2007 counsel for Defendants Joginder Singh Sahni, Parkar Dawood, Help Line Collection Co., Sardar Traders, Est. and Sardar International Trading Co. wrote the Court requesting a pre-motion conference in connection with an intended application to move to dismiss the Complaint against them for lack of personal jurisdiction. The Maersk Plaintiffs responded on January 18, setting forth the reasons why personal jurisdiction was not lacking, but also requesting that Maersk be permitted to take jurisdiction-related discovery (to include requests for production of documents and the taking of depositions). This application to take discovery was opposed by moving defendants.<sup>1</sup>

The Court's February 7 Order sets a briefing schedule for the motions to dismiss, but is silent with respect to the request by Plaintiffs to take discovery. Because it is unclear at present whether Plaintiffs are authorized to proceed with their requested discovery, and because it

<sup>1</sup> Defendants Mohinder Singh Sahani and Mandeep Singh Sahni also requested a pre-motion conference in connection with their intended motions to dismiss and are governed by the same February 7, 2007 Order.

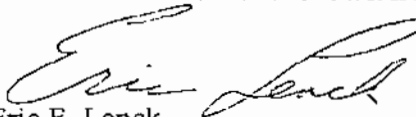
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appears that Defendants will not provide such discovery without a Court directive, this clarification of the Court's February 7, 2007 Order is sought. If the Court deems such discovery appropriate, we would also request an adjournment of the briefing schedule to permit the completion of the discovery of these defendants, all of whom are foreign.

We thank the Court for its attention to this matter.

Respectfully submitted,

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Application denied.

without prejudice. If  
after reviewing the motion  
to dismiss the Court

- Concludes that jurisdictional discovery is appropriate, it will reconsider the request.

So ordered.



March 20, 2007